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SUBJECT: COURT APPROVES ELECTORAL GUARANTEES LAW; NO HURDLES REMAIN TO URIBE PRESIDENTIAL CANDIDACY

REF: A. BOGOTA 10497

[¶](#)B. BOGOTA 9896  
[¶](#)C. BOGOTA 4467

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[¶](#)1. (U) Summary: As expected, the Constitutional Court approved the electoral guarantees law, the final remaining legal hurdle to President Uribe's running in the May 28, 2006 presidential election. The Court made some changes to the original law, toughening campaign finance rules and limiting the incumbent's use of public television and institutional resources. Uribe must register his candidacy by November 28. End Summary.

[¶](#)2. (U) The Court approved the electoral guarantees law November 11, which sets out "rules of the game" for incumbents seeking second terms. It made several modifications to the law, cognizant of Constitutional wording calling for equality of political opportunity for all parties and individuals. The most important elements of the law are (see also Ref C, which provided an overview of federal electoral issues):

--GOC employees may join political parties but may not participate in campaign activities;  
--A challenger is to be given free media "response" time if the National Electoral Council determines that the incumbent made a derogatory statement about the challenger;  
--Individuals alone may make campaign contributions; corporations and other legal entities may not;  
--The overall campaign spending limit for challengers is approximately USD \$6.2 million; for an incumbent, approximately USD \$ 4.4 million; and  
--As of November 28, the President's weekly community council meetings may not be televised and partisan events/activities may not take place in the Presidential Palace, Casa Narino.

[¶](#)3. (SBU) Comment: While Uribe has not formally announced his intention to run, he is all but certain to do so. He will be the odds-on favorite. Opposition reaction to this latest Court ruling was positive but relatively muted.

DRUCKER